

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

IN RE PHARMACEUTICAL INDUSTRY
AVERAGE WHOLESAL PRICE
LITIGATION

THIS DOCUMENT RELATES TO ALL
ACTIONS

MDL NO. 1456

CIVIL ACTION NO. 01-CV-12257-PBS

Judge Patti B. Saris

**DEFENDANT IMMUNEX CORPORATION'S MOTION
FOR LEAVE TO FILE UNDER SEAL**

Defendant Immunex Corporation ("Immunex"), by its counsel, respectfully moves this Court for leave to file under seal the following item: Defendant Immunex Corporation's Individual Memorandum in Opposition to Plaintiffs' Motion to Certify Claims with Respect to Track 2 Defendants.

The foregoing item references documents and information contained in documents that certain Plaintiffs have identified as "HIGHLY CONFIDENTIAL" pursuant to the terms of the December 13, 2004 Protective Order. It also includes references to private medical information of certain of the named Plaintiffs.

Paragraph 15 of the Protective Order mandates that any document or pleading containing material such as that referenced above be filed under seal. Immunex hereby seeks to comply with the terms of the Protective Order.

Pursuant to Local Rule 7.1(A)(2), counsel for Immunex conferred with counsel for the Plaintiffs regarding this motion, and Plaintiffs do not oppose this motion.

WHEREFORE, Immunex respectfully requests that this Court grant it leave to file the foregoing pleading under seal.

DATED: June 15, 2006.

/s/ Kathleen M. O'Sullivan

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CERTIFICATE OF SERVICE

I hereby certify that on June 15, 2006, I caused a true and correct copy of the Defendant Immunex Corporation's Motion for Leave to File Under Seal to be served on all counsel of record by electronic service pursuant to Paragraph 11 of the Case Management Order No. 2, by sending a copy to LexisNexis File and Service for posting and notification to all parties.

By /s/ Kathleen M. O'Sullivan
Kathleen M. O'Sullivan